CRLR_Lodge No._305/2003

Hon'ble Irshad Hussain, J.

Heard Sri A.S.Rajwar, learned counsel for the revisionist.

This is a criminal revision under Section 397/401 of Code of Criminal Procedure against the judgment dated 22.8.2003 whereby the respondent nos. 2 and 3 have been acquitted of the offence under Sections 506 IPC and 3(1)(X) of the S.C. & S.T. Act.

Learned counsel for the revisionist submitted that the finding of the learned Additional District Judge are contradictory and that the evidence of the complainant and his witness had not been considered in proper prospective.

I have gone through the judgment as well as the statements of the two witnesses which were recorded in the case from the side of the prosecution. it is not in disputed that the PW-1 who is the accused in case no. 307 IPC which was registered on the report of the respondent no.2. The previous enmity was not disputed and there was allegation that the accused have been falsely implicated on account of the report lodged against the complainant on 24.1.2000. The learned Sessions Judge had appraised the evidence of the prosecution and did not find the same reliable.

Having gone through judgment I also agree with the finding and therefore there is no merit in this revision. The revision is dismissed in limine.

(Irshad Hussain, J.)

Dated 21.11.2003

Rawat